

Introduced by Senator Kehoe

February 22, 2005

An act to add Section 597z to the Penal Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

SB 914, as introduced, Kehoe. Animal cruelty.

Existing law makes it's a crime to engage in animal cruelty, as specified.

This bill would make it a misdemeanor for any person, other than a organization that provides services as a public animal sheltering agency, to sell, give away, or otherwise transfer any dog under 8 weeks of age. By creating a new crime, this bill would impose a state-mandated local program upon local governments.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 597z is added to the Penal Code, to
- 2 read:
- 3 597z. (a) It shall be a misdemeanor for any person to sell,
- 4 give away, or otherwise transfer any dog under eight weeks of
- 5 age.

1 (b) This section shall not apply to any nonprofit organization,
2 as defined in Section 501(c)(3) of the Internal Revenue Code, or
3 any other organization that provides, or contracts to provide,
4 services as a public animal sheltering agency.

5 SEC. 2. No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 the only costs that may be incurred by a local agency or school
8 district will be incurred because this act creates a new crime or
9 infraction, eliminates a crime or infraction, or changes the
10 penalty for a crime or infraction, within the meaning of Section
11 17556 of the Government Code, or changes the definition of a
12 crime within the meaning of Section 6 of Article XIII B of the
13 California Constitution.